IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 20TH AUGUST 2007 / 29TH SRAVANA 1929

WP(C).No. 20799 of 2007(A)

PETITIONER:

G. SURENDRAN,
BRANCH MANAGER (UNDER ORDERS OF SUSPENSION),
CHEMMARUTHY SERVICE CO-OP. BANK LTD.NO.T.328,
PANAYARA P.O., VARKALA, THIRUVANANTHAPURAM.

BY ADV. SRI.P.N.MOHANAN

RESPONDENTS:

---

1. CHEMMARUTHY SERVICE CO-OP.BANK LTD.
NO.T.328, PANAYARA P.O.,VARKALA,THIRUVANANTHAPURAM
REP. BY ITS PRESIDENT.

2. JOINT REGISTRAR OF CO-OP. SOCIETIES,
THIRUVANANTHAPURAM.

R1 BY ADV. SRI.P.K.BALAKRISHNAN NAIR
R2 BY GOVT. PLEADER SMT. ANU SIVARAMAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

- -

WP.(C) No.20799 of 2007

- -

Dated this the 20th day of August, 2007

JUDGMENT

Petitioner has approached this court challenging Ext.P8 and he seeks a declaration that the petitioner has to be reinstated in service forthwith or to direct the first respondent to grant leave from 14.6.2007 to 31.7.2007 as evidenced by Exts. P9 and P12.

2. I heard learned counsel for the first respondent Sri. P.K.Balakrishnan Nair also.

3. Ext.P8 is an order of suspension dated 25.6.2007. Learned counsel for the petitioner points out that petitioner is being harassed. He submits that there is no basis to suspend for taking leave on two days. He further submits that the petitioner is not even paid the subsistence allowance since 14.6.2007. Learned counsel for the first respondent would submit that the petitioner will be paid subsistence allowance from 14.6.2007.

Recording the submission of the learned counsel for the first respondent, there will be a direction to the first respondent to pay to

the petitioner subsistence allowance due to the petitioner from 14.6.2007 for the period during which the petitioner is kept under suspension. Further having regard to the facts, there will be a direction to the first respondent that the inquiry proceedings against the petitioner will be concluded within a period of three months from today. The subsistence allowance due to the petitioner will be paid within three weeks from today.

(K.M. JOSEPH, JUDGE)

sb